

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: **06/23/99**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Assembly Republican Caucus**

By/Representing: **Dake**

This file may be shown to any legislator: **NO**

Drafter: **mlief**

May Contact:

Alt. Drafters: **mdsida
nelsorp1
olsenje
malaigm**

Subject: **Education - miscellaneous**

Extra Copies: **PG**

Pre Topic:

ARC:.....Dake -

Topic:

School discipline and safety

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mlief 06/23/99 olsenje 06/23/99	chanaman 06/23/99		_____			
/1			kfollet 06/24/99	_____	lrb_docadmin 06/24/99		
/2	mlief 06/25/99	ygeller 06/25/99	mclark 06/26/99	_____	lrb_docadmin 06/26/99		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typist</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/3	mlief 06/26/99	chanaman 06/26/99	hhagen 06/26/99	_____	lrb_docadmin 06/26/99		

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*JH
KSN 6/26*

Vers. Drafted Reviewed Typist Proofed Submitted Jacketed Required

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/1			kfollet 06/24/99	_____	lrb_docadmin 06/24/99		

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1?	mlief	cm4 6/23 /1	Kjf 6/23	Kjf/mc 6/24			

FE Sent For:

<END>

Budget Amendments 1999-

Statement of Intent DPI. Incorporation of the recommendations of the Legislative Council Special Committee on School Discipline and Safety into the biennial budget.

Legislator	Ladwig	Amendment#	221
Staff contact	Janine	Status	Pass-amend
Agency	DPI	Tax Cut	

Summary The amendment reflects the recommendations of the Legislative Council Special Committee on School Discipline and Safety. Their recommendations include the following:

- delete (a) + (i)*
- a) A grant program to implement a research-based prevention and intervention strategies to reduce violence and disruption in schools. The three-year grants would be available to CESAs or school districts. A local match of 25 percent in the first year, 50 percent in the second year, and 75 percent in the third year is required for grant funding. The amendment specifies that the grants are not to be considered in determining the state's commitment of fund 2/3 partial state revenues;
 - b) Require each school district have in effect a safe school plan in their schools by the first day of the sixth month beginning after publication of the bill;
 - c) Amend current law relating to suspension or expulsion for a threat to specify that conduct which endangers a person or property includes making a threat to the health or safety of a person or making a threat to damage property;
 - d) Require DOJ to maintain a toll-free hotline for persons to anonymously provide information regarding dangerous weapons or criminal activities in schools. If such information is received, DOJ would be required to provide that information to the school administration and the local law enforcement agency;
 - e) Modify the current law limit of \$5,000 on parental liability for damages resulting from acts of minor child. The amendment specifies that damage to schools caused by arson, bomb scares, or explosives would allow a school to recover not more than \$20,000 from the parent or parents with custody of the child;
 - f) Require a school official to immediately notify the county department of social services if they know that the child is without a parent or guardian;
 - g) Require the DPI Superintendent's report on school and school district performance to include indicators relating to suspension and expulsion data;
 - h) Clarify that a pupil's absence due to suspension or expulsion is not an absence without an acceptable excuse under the definition of habitual truant nor is it an absence without legal cause under the definition of truancy;
 - i) Specify that a school district or CESA which provides school medical services may receive the entire federal share of allowable charges and administrative expenses;
 - j) Require DOJ and DPI to report to the Legislature and the Governor by January 1, 2001 and January 1, 2003 on their effort to aggressively seek and apply for federal funding relating to school safety and violence; and
 - k) Specify that persons who threatens to use a dangerous weapon or explosive to cause bodily harm or damage at a government building, or school would be guilty of a Class E felony. The penalty includes a fine of not more than \$10,000 and not more than five years imprisonment or both.

Fiscal Impact The amendment appropriates \$3.65 million in general purpose revenues for the grant program in each year of the biennium. Please note that \$7 million would be provided by the "Federal Safety School Program."

Request# 3705



State Representative

Bonnie L. Ladwig

Assistant Majority Leader

Bob Nelson,

- In response to your recent request.
- I thought you might be interested in the enclosed material.

Per our phone conversation,
Insurance language for
Leg. Council School Violence
Draft. This pertains to
letter "e" of the motion --
parental liability. If you
have any questions, please
contact me.

Janine

WISCONSIN INSURANCE ALLIANCE

44 EAST MIFFLIN STREET • SUITE 305
MADISON, WISCONSIN 53703
(608) 255-1749
FAX (608) 255-2178
wial@execpc.com

Memorandum

*Cl in
this way*

Eric Englund
President

Mark Afable
Chairperson
American Family Insurance

Charles Stern
Vice-Chairperson
Wisconsin Mutual Insurance

Andy Franken
Secretary/Treasurer
Wausau Insurance Companies

Members:

American Family Insurance
American Standard Insurance
Badger Mutual Insurance
Capitol Indemnity Corporation
Church Mutual Insurance
CUNA Mutual Insurance Group
Dairyland Insurance
1st Auto & Casualty
General Casualty Insurance
Germantown Mutual Insurance
GRE Insurance Group
Heritage Insurance
IDS Property Casualty Insurance
Integrity Mutual Insurance
Jewelers Mutual Insurance
Manitowoc Cty. Mutual Insurance
Maple Valley Mutual Insurance
Milwaukee Insurance Group
Milwaukee Mutual
Old Republic Surety Company
Partners Mutual Insurance Company
Progressive Northern Ins. Cos.
Retail Lumbermens Mutual Insurance
Rural Mutual Insurance Company
Secura Insurance
Scntry Insurance
Sheboygan Falls Insurance
Society Insurance
United Wisconsin Insurance
Waukesha Co. Mutual Insurance
Wausau Insurance Companies
WEA Insurance Group
West Bend Mutual Insurance
Wilson Mutual Insurance
Wisconsin American Mutual
Wisconsin Assoc. of Mutual Ins. Cos.
Wisconsin Mutual Insurance

Associate Members:

AAA/Michigan/Wisconsin
Allstate Insurance
Farmers Insurance
Liberty Mutual
Rockford Mutual Ins. Co.
State Auto Ins. Cos.
State Farm Insurance
St. Paul Companies
Viking Insurance Company

TO: Offices of State Representative Bonnie Ladwig
Attention: Judi Rhodes

DATE: June 23, 1999

FROM: Eric Englund

RE: School Violence Package

I note that the Assembly Republican Caucus added to the budget bill a package of measures to fight school violence. Apparently the package included raising the damages parents can be assessed for a variety of activities. The types of activities covered apparently include arson, bomb threats or use of explosives. From an insurance perspective, those types of activities are typically considered "intentional acts" and are not covered by the parents' homeowners insurance coverage.

By raising the stakes from \$5,000 to \$20,000 the legislature does enlarge the pot of gold that might be recovered and there will be people suing insurance companies attempting to recover the money from insurance companies.

We assume that the purpose of the proposed changes dealing with school violence is to impose upon the parents' greater responsibility toward the actions of their children. While we have no objection to this goal, we believe that putting that financial burden on the parents' insurance company does not achieve the intended result. [REDACTED]

"[REDACTED] covered under this section is not an insurable risk."

I'd be happy to be of additional resource to you on this project.

Budget Amendments 1999-2000

DPI. Incorporation of the recommendations of the Legislative Council Special Committee on School Discipline and Safety into the biennial budget.

Ladwig

Janine

DPI

The amendment reflects the recommendations of the Legislative Council Special Committee on School Discipline and Safety. Their recommendations include the following:

- a) A grant program to implement a research-based prevention and intervention strategies to reduce violence and disruption in schools. The three-year grants would be available to CESAs or school districts. A local match of 25 percent in the first year, 50 percent in the second year, and 75 percent in the third year is required for grant funding. The amendment specifies that the grants are not to be considered in determining the state's commitment of fund 2/3 partial state revenues;
- b) Require each school district have in effect a safe school plan in their schools by the first day of the sixth month beginning after publication of the bill;
- c) Amend current law relating to suspension or expulsion for a threat to specify that conduct which endangers a person or property includes making a threat to the health or safety of a person or making a threat to damage property;
- d) Require DOJ to maintain a toll-free hotline for persons to anonymously provide information regarding dangerous weapons or criminal activities in schools. If such information is received, DOJ would be required to provide that information to the school administration and the local law enforcement agency;
- e) Modify the current law to include the following fragments of [REDACTED]
- f) Require a school official to immediately notify the county department of social services if they know that the child is without a parent or guardian;
- g) Require the DPI Superintendent's report on school and school district performance to include indicators relating to suspension and expulsion data;
- h) Clarify that a pupil's absence due to suspension or expulsion is not an absence without an acceptable excuse under the definition of habitual truant nor is it an absence without legal cause under the definition of truancy;
- i) Specify that a school district or CESA which provides school medical services may receive the entire federal share of allowable charges and administrative expenses;
- j) Require DOJ and DPI to report to the Legislature and the Governor by January 1, 2001 and January 1, 2003 on their effort to aggressively seek and apply for federal funding relating to school safety and violence; and
- k) Specify that persons who threatens to use a dangerous weapon or explosive to cause bodily harm or damage at a government building, or school would be guilty of a Class E felony. The penalty includes a fine of not more than \$10,000 and not more than five years imprisonment or both.

Fiscal Impact

The amendment appropriates \$3.65 million in general purpose revenues for the grant program in each year of the biennium. Please note that \$7 million would be provided by the "Federal Safety School Program."

Request

3705

1999

Date (time)
needed _____

LRB b 1104 (cont'd)

CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]

_____:_____:_____

See form **AMENDMENTS — COMPONENTS & ITEMS.**

CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 1999 ASSEMBLY BILL 133

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page ~~1174~~ ¹¹⁷⁴, line ~~2~~ ²...: after that line insert:
[INS. F]

#. Page ~~1431~~ ¹⁴³¹, line ~~11~~ ¹¹...: after that line insert:
[INS. G]

#. Page ~~1439~~ ¹⁴³⁹, line ~~7~~ ⁷...: after that line insert:
[INS. H]

#. Page ~~1570~~ ¹⁵⁷⁰, line ~~16~~ ¹⁶...: after that line insert:
[INS. I]

#. Page ~~1613~~ ¹⁶¹³, line ~~6~~ ⁶...: after that line insert:
[INS. J]

#. Page ~~1598~~ ¹⁵⁹⁸, line ~~5~~ ⁵...: after that line insert:
[INS. K]

(end)

1999

Date (time) needed soon

LRB b 1104 1 1

CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]

D-Note MSL/MGD/TEO/RPN/GMM
CMH

See form AMENDMENTS — COMPONENTS & ITEMS.

CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 1999 ASSEMBLY BILL 133

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page 503, line 3: after that line insert:
[INS. A]

#. Page 509, line 6: after that line insert:
[INSERT B]

#. Page 1096, line 8: after that line insert:
[INS. C]

#. Page 1103, line 16: after that line insert:
[INS. D]

#. Page 1121, line 18: after that line insert:
[INS. E]

#. Page 1126, line 25: before "(fm)" insert

school or an institution of higher education. For purposes of the criminal code ~~714.939~~
~~to 951, stats.~~ (1) "bodily harm" is defined to mean physical pain or injury, illness or any
impairment of physical condition; and (2) "dangerous weapon" is defined to mean any
firearm, whether loaded or unloaded, any device designed as a weapon and capable of
producing death or great bodily harm, and electric weapon under s. 941.295 (4), stats.,
or any other device or instrumentality which, in the manner it is used or intended to be
used, is calculated or likely to produce death or great bodily harm.

A person who violates the prohibition created by the draft is guilty of a Class E
felony (see penalties above).

1 ✓ SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

			1999-00	2000-01
3				
4	20.255 Public instruction, department of			
5	(2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING			
6	(e) Grants for reducing violence and			
7	disruption	GPR A	\$5,000,000	\$5,000,000

NOTE: Creates the appropriation schedule entry for grants for reducing violence
and disruption in schools. The grant program is created in s. 115.455 and the
appropriation for the grants is created in s. 20.255 (2) (e).

8 ✓ SECTION 2. 20.255 (2) (e) of the statutes is created to read:

9 20.255 (2) (e) *Grants for reducing violence and disruption.* The amounts in the
10 schedule for grants to school ^{boards} ~~districts~~ and ^{boards of control of} cooperative educational service agencies
11 under s. 115.455.

NOTE: Creates the appropriation for grants for reducing violence and disruption
in schools. The grant program is created in s. 115.455.

12 " SECTION 36.11 (36) ^(M) of the statutes is created to read:

13 36.11 (36) ^(M) SCHOOL SAFETY RESEARCH. The board shall direct the schools of
14 education and other appropriate research-oriented departments within the system,
15 to work with the technical college system board under s. 38.04 (27), school districts,
16 private schools and the department of public instruction to present to school districts
17 and private schools the results of research on models for and approaches to

JWS
A



end Insa

1 improving school safety and reducing discipline problems in schools and at school
2 activities.) ,

X NOTE: Directs the Board of Regents of the UW System to work with others to present to public and private schools the results of research on models for and approaches to improving school safety and reducing discipline problems.

Insa-B

3 " SECTION 38.04 (27) of the statutes is created to read:

4 38.04 (27) ~~SCHOOL SAFETY AND SECURITY~~ The board shall work with schools of education and other
5 departments of the University of Wisconsin System under s. 36.11 (36)^m, school
6 districts, private schools and the department of public instruction to present to
7 school districts and private schools the results of research on models for and
8 approaches to improving school safety and reducing discipline problems in schools
9 and at school activities.) ,

(END OF INSERT)

NOTE: Directs the state technical college board to work with others to present to public and private schools the results of research on models for and approaches to improving school safety and reducing discipline problems.

10 SECTION 5. 49.45 (39) (b) of the statutes is amended to read:

11 49.45 (39) (b) *Payment for school medical services.* If a school district or a
12 cooperative educational service agency elects to provide school medical services and
13 meets all requirements under par. (c), the department shall reimburse the school
14 district or the cooperative educational service agency ~~for 60%~~ ^{Remove striking} of the federal share of
15 allowable charges for the school medical services that it provides and for allowable
16 administrative costs. The department shall promulgate rules establishing a
17 methodology for making reimbursements under this paragraph. All other expenses
18 for the school medical services shall be paid for by the school district or the
19 cooperative educational service agency with funds received from state or local taxes.
20 The school district or the cooperative educational service agency shall comply with

1 all requirements of the federal department of health and human services for
2 receiving federal financial participation.

NOTE: Increases the percentage of the federal share of MA reimbursement for allowable charges that a school district or CESA may receive for providing school medical services to MA-eligible pupils and administrative costs from 60% to 100%.

3 (1) SECTION ~~4~~ ^{2048 m 7B} 115.38 (1) (b) of the statutes is renumbered 115.38 (1) (b) 1. and

INS. 4
C 5

amended to read:

strike semi-colon

6 115.38 (1) (b) 1. Other indicators of school and school district performance,
7 including dropout, attendance, retention in grade and graduation rates, numbers of
8 suspensions and expulsions ~~the information on suspensions and expulsions specified~~
9 ~~in s. 115.38 (1) (b) 1.~~; percentage of habitual truants, as defined in s. 118.16 (1) (a); percentage
10 of pupils participating in extracurricular and community activities and advanced
11 placement courses; percentage of graduates enrolled in postsecondary educational
12 programs; and percentage of graduates entering the workforce.

12 SECTION ~~4~~ ^{2048 m 7B} 115.38 (1) (b) 2. of the statutes is created to read:

13 115.38 (1) (b) 2. ~~The suspension and expulsion information required under~~
14 ~~subd. 1. shall include~~ ^{The} numbers of suspensions and expulsions; the reasons for which
15 pupils are suspended or expelled, reported according to categories specified by the
16 state superintendent; the length of time for which pupils are expelled, reported
17 according to categories specified by the state superintendent; whether pupils return
18 to school after their ~~periods~~ ^{periods} of expulsion; the educational programs and services, if
19 any, provided to pupils during their ~~periods~~ ^{periods} of expulsions, reported according to
20 categories specified by the state superintendent; the schools attended by pupils who
21 are suspended or expelled; and the grade, ^{sex} ~~gender~~ and ethnicity of pupils who are
22 suspended or expelled and whether the pupils are children with disabilities, as
23 defined in s. 115.76 (5).

end ins. C

1 (e) Persons ~~agencies~~ involved in administering or providing family
2 preservation and family support services under 42 USC 629 to 629e.

3 (f) Persons ~~agencies~~ involved in administering or providing integrated
4 service programs for children with severe disabilities under s. 46.56.

5 (g) Law enforcement agencies.

6 (h) Courts.

7 (3) The department shall ~~award 3 year~~ grants under this section from the
8 appropriation under s. 20.255 (2) (e). ~~The department shall determine the amount~~

9 of the grant, if any, to be awarded to each applicant except that no school ~~district~~ or
10 ~~cooperative educational service agency~~ may be awarded, in any fiscal year, more than

11 10% of the amount appropriated in s. 20.255 (2) (e). The department shall ~~ensure~~
12 ~~that grants are distributed~~ among small, medium and large school districts, based

13 on enrollments. As a condition of receiving a grant, a school ~~district~~ or cooperative
14 educational service agency shall provide matching funds in an amount equal to at

15 least 25% of the amount of its grant in the first year of the grant, 50% of the amount
16 of its grant in the 2nd year of the grant and 75% of the amount of its grant in the 3rd

17 year of the grant. The matching funds may be from local, federal or private sources.

NOTE: Creates a grant program under which a school ~~district~~ or CESA may apply
for a 3-year grant to implement a comprehensive prevention and intervention plan for
reducing violence and disruption in schools.

18 (124m) 20.12 (26) SECTION ~~118.15~~ of the statutes is created to read:

19 ~~118.15~~ **Safe school plans.** Each school ~~district~~ shall have in effect a ~~safe~~
20 school plan for each school in the school district.

NOTE: Requires each school ~~district~~ to have in effect a ~~safe~~ school plan for each
school in the school district. Under the effective date provisions of this draft, this
requirement takes effect on the first day of the 6th month beginning after publication of
the act.

21 (2068m) SECTION ~~118.16~~ (1m) of the statutes is created to read:

school safety plan

INS
17 E

C+S plain
no BOB

INS E
cont'd
on p. 12, line 16

INS D

Insert at v. 15

in 3 annual
installments

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safety

safety

safety
bill

(B)

1 118.16 (1m) The period during which a pupil is absent from school due to a
2 suspension or expulsion under s. 120.13 or 119.25 is neither an absence without an
3 acceptable excuse for the purposes of sub. (1) (a) nor an absence without legal cause
4 for the purposes of sub. (1) (c).

NOTE: Clarifies that the period that a pupil is absent from school due to a suspension or expulsion is neither an absence without an acceptable excuse for the purposes of the definition of "habitual truant" nor an absence without legal excuse for the purposes of the definition of truancy.

5 SECTION 118.175 of the statutes is created to read:

6 118.175 Pupils without parents or guardians; report required. (1) This
7 section does not apply to a pupil who is a child who has a legal custodian as defined
8 in s. 48.02 (11) or 938.02 (11), or is cared for by a kinship care relative under s. 48.57
9 (3m) (a.)

10 (2) If a pupil is a child who is without a parent or guardian under s. 48.11
11 any school teacher, school administrator, school counselor or school social worker
12 who knows that the child is without a parent or guardian shall report that fact as
13 soon as possible to the county department under s. 46.02 (2g) or, in a county having
14 a population of 500,000 or more, to the department of health and family services.

NOTE: Requires certain school personnel who know that a child is without a parent to report that fact as soon as possible to the appropriate county department of social services or human services or, in Milwaukee County, the department of health and family services.

15 SECTION 12. 120.13 (1) (b) of the statutes is amended to read:

16 120.13 (1) (b) The school district administrator or any principal or teacher
17 designated by the school district administrator also may make rules, with the
18 consent of the school board, and may suspend a pupil for not more than 5 school days
19 or, if a notice of expulsion hearing has been sent under par. (c) 4 or (e) 4. or s. 119.25
20 (2) (c), for not more than a total of 15 consecutive school days for noncompliance with

Handwritten annotations: (2068) (B), (u. ho), (46.12 or 46.23), (as defined in)

END
INSD

INS E
(cont'd
from
previous
pgs)

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INSE

1 such rules or school board rules, or for knowingly conveying any threat or false
2 information concerning an attempt or alleged attempt being made or to be made to
3 destroy any school property by means of explosives, for conduct by the pupil while
4 at school or while under the supervision of a school authority which endangers the
5 property, health or safety of others, or for conduct while not at school or while not
6 under the supervision of a school authority which endangers the property, health or
7 safety of others at school or under the supervision of a school authority or endangers
8 the property, health or safety of any employe or school board member of the school
9 district in which the pupil is enrolled. In this paragraph, conduct ^{that} ~~which~~ endangers
10 a person or property includes making a threat to the health or safety of a person or
11 making a threat to damage property. Prior to any suspension, the pupil shall be
12 advised of the reason for the proposed suspension. The pupil may be suspended if
13 it is determined that the pupil is guilty of noncompliance with such rule, or of the
14 conduct charged, and that the pupil's suspension is reasonably justified. The parent
15 or guardian of a suspended minor pupil shall be given prompt notice of the
16 suspension and the reason for the suspension. The suspended pupil or the pupil's
17 parent or guardian may, within 5 school days following the commencement of the
18 suspension, have a conference with the school district administrator or his or her
19 designee who shall be someone other than a principal, administrator or teacher in
20 the suspended pupil's school. If the school district administrator or his or her
21 designee finds that the pupil was suspended unfairly or unjustly, or that the
22 suspension was inappropriate, given the nature of the alleged offense, or that the
23 pupil suffered undue consequences or penalties as a result of the suspension,
24 reference to the suspension on the pupil's school record shall be expunged. Such
25 finding shall be made within 15 days of the conference. A pupil suspended under this



1 paragraph shall not be denied the opportunity to take any quarterly, semester or
 2 grading period examinations or to complete course work missed during the
 3 suspension period, as provided in the attendance policy established under s. 118.16
 4 (4) (a). *(2124u) (B)*

NOTE: Explicitly provides that a pupil may be suspended for making a threat to property, health or safety, as follows: (1) while at school or under the supervision of a school authority, making a threat to endanger the property, health or safety of others; or (2) while not at school or while not under the supervision of a school authority, making a threat to endanger the property, health or safety of others at school or under the supervision of a school authority or to endanger the property, health or safety of an employe or school board member of the school district.

5 **SECTION 13.** 120.13 (1) (c) 1. of the statutes is amended to read:

6 120.13 (1) (c) 1. The school board may expel a pupil from school whenever it
 7 finds the pupil guilty of repeated refusal or neglect to obey the rules, or finds that a
 8 pupil knowingly conveyed or caused to be conveyed any threat or false information
 9 concerning an attempt or alleged attempt being made or to be made to destroy any
 10 school property by means of explosives, or finds that the pupil engaged in conduct
 11 while at school or while under the supervision of a school authority which
 12 endangered the property, health or safety of others, or finds that a pupil while not
 13 at school or while not under the supervision of a school authority engaged in conduct
 14 which endangered the property, health or safety of others at school or under the
 15 supervision of a school authority or endangered the property, health or safety of any
 16 employe or school board member of the school district in which the pupil is enrolled,
 17 and is satisfied that the interest of the school demands the pupil's expulsion. In this
 18 subdivision, conduct ^{mat} which endangers a person or property includes making a threat
 19 to the health or safety of a person or making a threat to damage property.

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NOTE: Explicitly provides that a pupil may be expelled for making a threat to property, health or safety as follows: (1) while at school or under the supervision of a school authority, making a threat to endanger the property, health or safety of others; or (2) while not at school or while not under the supervision of a school authority, making a threat to endanger the property, health or safety of others at school or under the

End JWS

supervision of a school authority or to endanger the property, health or safety of an employe or school board member of the school district.

1 SECTION 14. 121.15 (3m) (a) 2. of the statutes is amended to read:

2 121.15 (3m) (a) 2. "State school aids" means those aids appropriated under s.
3 20.255 (2), other than s. 20.255 (2) (e), (fm), (fu), (k) and (m), and under ss. 20.275
4 (1) (d), (es), (et), (f), (fs) and (u) and 20.285 (1) (ee), (r) and (rc) and those aids
5 appropriated under s. 20.275 (1) (s) that are used to provide grants or educational
6 telecommunications access to school districts under s. 196.218 (4r).

NOTE: Provides that the amounts appropriated under this draft for grants to school districts and CESAs for reducing violence and disruption in schools are not considered in determining the state's commitment to fund 2/3 partial school revenues.

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" SECTION 16. 165.72 (title) of the statutes is amended to read:

165.72 (title) Controlled Dangerous weapons or criminal activity in schools and controlled substances hotline and rewards for controlled substances tips.

SECTION 17. 165.72 (1) (a) of the statutes is renumbered 165.72 (1) (aj).

SECTION 18. 165.72 (1) (ad) of the statutes is created to read:

165.72 (1) (ad) "Dangerous weapon" has the meaning given in s. 939.22 (10).

SECTION 19. 165.72 (2) (intro.) of the statutes is amended to read:

165.72 (2) HOTLINE. (intro.) The department of justice shall maintain a single toll-free telephone number during normal retail business hours, as determined by departmental rule, for both all of the following:

SECTION 20. 165.72 (2) (c) of the statutes is created to read:

165.72 (2) (c) For persons to ~~anonymously~~ provide information ^{anonymously} regarding dangerous weapons or criminal activity in public or private schools.

SECTION 21. 165.72 (2g) of the statutes is created to read:

anonymously



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165.72 (2g) AFTER-HOURS MESSAGE FOR CALLS CONCERNING DANGEROUS WEAPONS IN SCHOOLS. If a call is made ^{outside of} ~~after~~ normal retail business hours to the telephone number maintained under sub. (2), the department ~~of justice~~ shall provide for the call to be received by a telephone answering system or service. The telephone answering system or service shall provide a recorded message that requests the person calling to call the telephone number "911" or a local law enforcement agency if the person is calling to provide information regarding dangerous weapons or criminal activity in a school.

⑨

SECTION 21. 165.72 (2m) of the statutes is created to read:

165.72 (2m) TRANSMISSION OF INFORMATION CONCERNING DANGEROUS WEAPONS IN SCHOOLS. Immediately upon receiving any information under sub. (2) (c) regarding dangerous weapons or criminal activity in a school, or immediately at the beginning of the next retail business day if the information is not received during normal retail business hours, the department ~~of justice~~ shall provide the information to all of the following:

16

(a) The administration of the school.

17

(b) The appropriate law enforcement agency, ~~as defined in s. 165.83(1)~~ for the municipality in which the school is located.

19

SECTION 22. 165.72 (7) of the statutes is amended to read:

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165.72 (7) PUBLICITY. The department shall cooperate with the department of public instruction in publicizing, in public and private schools, the use of the toll-free telephone number under sub. (2).

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end of
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NOTE: The treatment of s. 165.72 expands the controlled substances hotline, maintained by the DOJ, to also allow persons to anonymously provide information regarding dangerous weapons or criminal activity in public or private schools. DOJ must provide a telephone answering system to receive calls after normal business hours which provides a message to tell callers to call "911" or a local law enforcement agency if the

caller is calling to provide information regarding dangerous weapons or criminal activity in a school. Immediately upon receiving information regarding dangerous weapons or criminal activity in a school, or immediately at the beginning of the next retail business day if the information is not received during normal business hours, DOJ must provide the information to the administrator of the school and the appropriate law enforcement agency for the municipality in which the school is located.

INS 6

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SECTION ~~22~~ 895.035 (4) of the statutes is amended to read:

895.035 (4) Except for recovery under sub. (4a) or for retail theft under s. 943.51, the maximum recovery under this section from any parent or parents may not exceed the amount specified in s. 799.01 (1) (d) for damages resulting from any one act of a juvenile in addition to taxable costs and disbursements and reasonable attorney fees, as determined by the court. If 2 or more juveniles in the custody of the same parent or parents commit the same act under this section the total recovery may not exceed the amount specified in s. 799.01 (1) (d), in addition to taxable costs and disbursements. The maximum recovery from any parent or parents for retail theft by their minor child is established under s. 943.51.

NOTE: Reflects the creation of s. 895.035 (4a).

SECTION ~~22~~ 895.035 (4a) of the statutes is created to read:

895.035 (4a) (a) For damages caused to a ^{the governing body of the} public school district or a ^{board} private school by any of the following ^{actions of the} ~~persons~~ ^a minor child, the maximum recovery by ^a ~~the~~ ^{minor} school district or school from any parent or parents with custody of the child may not exceed \$20,000 for damages resulting from any one act of the child in addition to taxable costs and disbursements and reasonable attorney fees, as determined by the court.

1. An act or threat ^{that} ~~which~~ endangers the property, health or safety of ~~others~~ ^{persons} at school or under the supervision of a school authority or ^{that damages} ~~endangers~~ the property of a school ^{board} district or school and ^{that} ~~which~~ results in a substantial disruption of a school day or a school activity.

the governing body of a private

the governing body of a private

1 2. An act resulting in a violation of s. 943.01, 943.02, 943.03, 943.05, 943.06 or
2 947.015.

3 (b) In addition to other recoverable damages, damages under par. (a) may
4 include the cost to the school ~~district~~ ^{board} or school in loss of instructional time directly
5 resulting from the ~~act or acts~~ ^{action} of the minor child under par. (a).

6 (c) If 2 or more minor children in the custody of the same parent or parents
7 ~~are involved in~~ ^{are involved in} ~~the same act,~~ ^{action under par. (a)} the total recovery may not exceed \$20,000, in addition to
8 taxable costs, disbursements and reasonable attorney fees, as determined by the
9 court. ^{end INS G} ^{Insert G-1.}

NOTE: Increases, from \$5,000 to \$20,000, the maximum dollar amount for parental liability for acts of minor children for certain violence-related costs which cause damages to a public school district or a private school.

SECTION 25. 947.017 of the statutes is created to read:

947.017 Threat to cause death, bodily harm or property damage. (1)

In this section, "governmental unit" means the United States, this state or one of its political subdivisions, an instrumentality or corporation of any of the foregoing or a combination or subunit of any of the foregoing.

(2) A person is guilty of a Class E felony if the person threatens to use a dangerous weapon or explosives to cause death, bodily harm or property damage in or on the premises of a structure owned, occupied or controlled by a governmental unit, a school, as defined in s. 948.50 (2) (a), or an institution of higher education, as defined in s. 108.02 (18).

NOTE: Creates a new felony for a threat to use a dangerous weapon or explosives to cause death, bodily harm or property damage in or on the premises of a structure owned, occupied or controlled by a governmental unit, a school or an institution of higher education.

SECTION 26. ~~Nonstatutory provisions.~~

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Insert G-1.

(9) (d) If an insurance policy does not explicitly provide coverage for actions under par. (a), the issuer of that policy is not liable for the damages resulting from those actions.

(END OF INSERT
G-1)

1 2. An act resulting in a violation of s. 943.01, 943.02, 943.03, 943.05, 943.06 or
2 947.015.

3 (b) In addition to other recoverable damages, damages under par. (a) may
4 include the cost to the school district or school in loss of instructional time directly
5 resulting from the act or acts of the minor child under par (a).

6 (c) If 2 or more minor children in the custody of the same parent or parents
7 commit the same act, the total recovery may not exceed \$20,000, in addition to
8 taxable costs, disbursements and reasonable attorney fees, as determined by the
9 court.

NOTE: Increases, from \$5,000 to \$20,000, the maximum dollar amount for parental liability for acts of minor children for certain violence-related costs which cause damages to a public school district or a private school.

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10 " SECTION 26. 947.017 of the statutes is created to read:

11 **947.017 Threat to cause death, bodily harm or property damage. (1)**

12 In this section, "governmental unit" means the United States, this state or one of its
13 political subdivisions, an instrumentality or corporation of any of the foregoing or a
14 combination or subunit of any of the foregoing.

15 (2) A person is guilty of a Class E felony if the person threatens to use a
16 dangerous weapon or explosives to cause death, bodily harm or property damage in
17 or on the premises of a structure owned, occupied or controlled by a governmental
18 unit, a school, as defined in s. 948.50 (2) (a), or an institution of higher education, as
19 defined in s. 108.02 (18).

(END OF INSERT H)

NOTE: Creates a new felony for a threat to use a dangerous weapon or explosives to cause death, bodily harm or property damage in or on the premises of a structure owned, occupied or controlled by a governmental unit, a school or an institution of higher education.

20 SECTION 26. Nonstatutory provisions.

CS
SCHOOL SAFETY FUNDING.

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(1) The department of justice and the department of public instruction shall aggressively seek and apply for federal funds relating to school safety and reducing violence and disruption in schools, including funds for alternative schools or programs. Each department shall make a report by January 1, 2001, and January 1, 2003, of its progress in applying for and obtaining funds under this section. The report shall be provided to the legislature in the manner provided under section 13.172 (2) of the statutes, to the cochairpersons of the joint committee on finance and to the governor. *)*.

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X NOTE: Requires the DOJ and the DPI to aggressively seek and apply for federal funds, relating to school safety and reducing violence and disruption in schools, and report to the legislature on their progress in applying for and obtaining such funds.

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SECTION 27. Effective date. This act takes effect on the day after publication, except as follows:

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SCHOOL SAFETY PLANS. 120.12(2C)
(1) The creation of section ~~115.116~~ of the statutes takes effect on the first day of the 6th month beginning after publication. *)*.

boards
NOTE: Requires school districts to have school safety plans in effect on the first day of the 6th month following publication of the act. All other provisions of the act take effect on the day after publication.

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~~**SECTION 28. Initial applicability**~~ *CS*

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SCHOOL PERFORMANCE REPORTS.
(1) The ~~treatment~~ of section 115.38 (1) (b) of the statutes first ~~applies~~ *apply* to reports required, under section 115.38 (2) of the statutes, to be distributed by January 1, 2002. *)*.

NOTE: Provides that the first school performance report which must contain the additional information related to suspensions and expulsions required under this ~~act~~ is the report ~~which~~ *that* must be filed by January 1, 2002. *but*

17

(END)

renumbering and amendment

and the creation of section 115.38 (1) (b) 2. of the statutes

9961104/1 In
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D-Note

Note that proposed s. 947.017 does
not cover charter schools or privately
owned buildings in which private persons
operate Head Start or other preschool
programs. If you want to cover either
or both of these types of places, you
may want to consider using language
like that contained in SB-191.

MGD

JEO

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1104/1dn
MGD&JEO:cmh:kjf

June 24, 1999

Note that proposed s. 947.017 does not cover charter schools or privately owned buildings in which private persons operate Head Start or other preschool programs. If you want to cover either or both of these types of places, you may want to consider using language like that contained in SB-191.

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State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1104/A
ML/MD/JO/RN/GM:cmh:kjf

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ARC:.....Dake - School discipline and safety

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

R-M run

D-N

TODAY

See p. 3

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 1. Page 503, line 3: after that line insert:
- 3 "SECTION 887d. 36.11 (36m) of the statutes is created to read:
- 4 36.11 (36m) SCHOOL SAFETY RESEARCH. The board shall direct the schools of
- 5 education and other appropriate research-oriented departments within the system,
- 6 to work with the technical college system board under s. 38.04 (27), school districts,
- 7 private schools and the department of public instruction to present to school districts
- 8 and private schools the results of research on models for and approaches to
- 9 improving school safety and reducing discipline problems in schools and at school
- 10 activities."

1 **2.** Page 509, line 6: after that line insert:

2 **"SECTION 896m.** 38.04 (27) of the statutes is created to read:

3 38.04 (27) SCHOOL SAFETY. The board shall work with schools of education and
4 other departments of the University of Wisconsin System under s. 36.11 (36m),
5 school districts, private schools and the department of public instruction to present
6 to school districts and private schools the results of research on models for and
7 approaches to improving school safety and reducing discipline problems in schools
8 and at school activities."

9 **3.** Page 1096, line 8: after that line insert:

10 **"SECTION 2048m.** 115.38 (1) (b) of the statutes is renumbered 115.38 (1) (b) 1.
11 and amended to read:

12 115.38 (1) (b) 1. Other indicators of school and school district performance,
13 including dropout, attendance, retention in grade and graduation rates; ~~numbers of~~
14 ~~suspensions and expulsions~~; percentage of habitual truants, as defined in s. 118.16
15 (1) (a); percentage of pupils participating in extracurricular and community
16 activities and advanced placement courses; percentage of graduates enrolled in
17 postsecondary educational programs; and percentage of graduates entering the
18 workforce.

19 **SECTION 2048t.** 115.38 (1) (b) 2. of the statutes is created to read:

20 115.38 (1) (b) 2. The numbers of suspensions and expulsions; the reasons for
21 which pupils are suspended or expelled, reported according to categories specified by
22 the state superintendent; the length of time for which pupils are expelled, reported
23 according to categories specified by the state superintendent; whether pupils return
24 to school after their expulsion; the educational programs and services, if any,

1 provided to pupils during their expulsions, reported according to categories specified
2 by the state superintendent; the schools attended by pupils who are suspended or
3 expelled; and the grade, sex and ethnicity of pupils who are suspended or expelled
4 and whether the pupils are children with disabilities, as defined in s. 115.76 (5).”

5 4. Page 1103, line 16: after that line insert:

6 “SECTION 2068m. 118.16 (1m) of the statutes is created to read:

7 118.16 (1m) The period during which a pupil is absent from school due to a
8 suspension or expulsion under s. 120.13 or 119.25 is neither an absence without an
9 acceptable excuse for the purposes of sub. (1) (a) nor an absence without legal cause
10 for the purposes of sub. (1) (c).

11 SECTION 2068r. 118.175 of the statutes is created to read:

12 118.175 Pupils without parents or guardians; report required. (1) This
13 section does not apply to a pupil who has a legal custodian, as defined in s. 48.02 (11)
14 or 938.02 (11), or who is cared for by a kinship care relative, as defined in s. 48.57 (3m)
15 (a).

16 (2) If a pupil is a child who is without a parent or guardian, any school teacher,
17 school administrator, school counselor or school social worker who knows that the
18 child is without a parent or guardian shall report that fact as soon as possible to the
19 county department under s. 46.22 or 46.23 or, in a county having a population of
20 500,000 or more, to the department of health and family services.”

21 5. Page 1121, line 18: after that line insert:

22 “SECTION 2124m. 120.12 (26) of the statutes is created to read:

23 120.12 (26) SCHOOL SAFETY PLANS. Have in effect a school safety plan for each
24 school in the school district.

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1 **SECTION 2124t.** 120.13 (1) (b) of the statutes is amended to read:

2 120.13 (1) (b) The school district administrator or any principal or teacher
3 designated by the school district administrator also may make rules, with the
4 consent of the school board, and may suspend a pupil for not more than 5 school days
5 or, if a notice of expulsion hearing has been sent under par. (c) 4 or (e) 4: or s. 119.25
6 (2) (c), for not more than a total of 15 consecutive school days for noncompliance with
7 such rules or school board rules, or for knowingly conveying any threat or false
8 information concerning an attempt or alleged attempt being made or to be made to
9 destroy any school property by means of explosives, for conduct by the pupil while
10 at school or while under the supervision of a school authority which endangers the
11 property, health or safety of others, or for conduct while not at school or while not
12 under the supervision of a school authority which endangers the property, health or
13 safety of others at school or under the supervision of a school authority or endangers
14 the property, health or safety of any employe or school board member of the school
15 district in which the pupil is enrolled. In this paragraph, conduct that endangers a
16 person or property includes making a threat to the health or safety of a person or
17 making a threat to damage property. Prior to any suspension, the pupil shall be
18 advised of the reason for the proposed suspension. The pupil may be suspended if
19 it is determined that the pupil is guilty of noncompliance with such rule, or of the
20 conduct charged, and that the pupil's suspension is reasonably justified. The parent
21 or guardian of a suspended minor pupil shall be given prompt notice of the
22 suspension and the reason for the suspension. The suspended pupil or the pupil's
23 parent or guardian may, within 5 school days following the commencement of the
24 suspension, have a conference with the school district administrator or his or her
25 designee who shall be someone other than a principal, administrator or teacher in

1 the suspended pupil's school. If the school district administrator or his or her
2 designee finds that the pupil was suspended unfairly or unjustly, or that the
3 suspension was inappropriate, given the nature of the alleged offense, or that the
4 pupil suffered undue consequences or penalties as a result of the suspension,
5 reference to the suspension on the pupil's school record shall be expunged. Such
6 finding shall be made within 15 days of the conference. A pupil suspended under this
7 paragraph shall not be denied the opportunity to take any quarterly, semester or
8 grading period examinations or to complete course work missed during the
9 suspension period, as provided in the attendance policy established under s. 118.16
10 (4) (a).

11 **SECTION 2124u.** 120.13 (1) (c) 1. of the statutes is amended to read:

12 120.13 (1) (c) 1. The school board may expel a pupil from school whenever it
13 finds the pupil guilty of repeated refusal or neglect to obey the rules, or finds that a
14 pupil knowingly conveyed or caused to be conveyed any threat or false information
15 concerning an attempt or alleged attempt being made or to be made to destroy any
16 school property by means of explosives, or finds that the pupil engaged in conduct
17 while at school or while under the supervision of a school authority which
18 endangered the property, health or safety of others, or finds that a pupil while not
19 at school or while not under the supervision of a school authority engaged in conduct
20 which endangered the property, health or safety of others at school or under the
21 supervision of a school authority or endangered the property, health or safety of any
22 employe or school board member of the school district in which the pupil is enrolled,
23 and is satisfied that the interest of the school demands the pupil's expulsion. In this
24 subdivision, conduct that endangers a person or property includes making a threat
25 to the health or safety of a person or making a threat to damage property."

1 **6.** Page 1174, line 2: after that line insert:

2 “SECTION 2287d. 165.72 (title) of the statutes is amended to read:

3 165.72 (title) **Controlled Dangerous weapons or criminal activity in**
4 **schools hotline; controlled substances hotline and rewards for controlled**
5 **substances tips.**

6 SECTION 2287e. 165.72 (1) (a) of the statutes is renumbered 165.72 (1) (aj).

7 SECTION 2287f. 165.72 (1) (ad) of the statutes is created to read:

8 165.72 (1) (ad) “Dangerous weapon” has the meaning given in s. 939.22 (10).

9 SECTION 2287g. 165.72 (2) (intro.) of the statutes is amended to read:

10 165.72 (2) HOTLINE. (intro.) The department of justice shall maintain a single
11 toll-free telephone number during normal retail business hours, as determined by
12 departmental rule, for both all of the following:

13 SECTION 2287h. 165.72 (2) (c) of the statutes is created to read:

14 165.72 (2) (c) For persons to provide information anonymously regarding
15 dangerous weapons or criminal activity in public or private schools.

16 SECTION 2287i. 165.72 (2g) of the statutes is created to read:

17 165.72 (2g) AFTER-HOURS MESSAGE FOR CALLS CONCERNING DANGEROUS WEAPONS
18 IN SCHOOLS. If a call is made outside of normal retail business hours to the telephone
19 number maintained under sub. (2), the department shall provide for the call to be
20 received by a telephone answering system or service. The telephone answering
21 system or service shall provide a recorded message that requests the person calling
22 to call the telephone number “911” or a local law enforcement agency if the person
23 is calling to provide information regarding dangerous weapons or criminal activity
24 in a school.

1 **SECTION 2287j.** 165.72 (2m) of the statutes is created to read:

2 **165.72 (2m) TRANSMISSION OF INFORMATION CONCERNING DANGEROUS WEAPONS IN**
3 **SCHOOLS.** Immediately upon receiving any information under sub. (2) (c) regarding
4 dangerous weapons or criminal activity in a school, or immediately at the beginning
5 of the next retail business day if the information is not received during normal retail
6 business hours, the department shall provide the information to all of the following:

7 (a) The administration of the school.

8 (b) The appropriate law enforcement agency for the municipality in which the
9 school is located.

10 **SECTION 2287k.** 165.72 (7) of the statutes is amended to read:

11 **165.72 (7) PUBLICITY.** The department shall cooperate with the department of
12 public instruction in publicizing, in public and private schools, the use of the toll-free
13 telephone number under sub. (2).”.

14 **7.** Page 1431, line 11: after that line insert:

15 **“SECTION 3111m.** 895.035 (4) of the statutes is amended to read:

16 **895.035 (4)** Except for recovery under sub. (4a) or for retail theft under s.
17 943.51, the maximum recovery under this section from any parent or parents may
18 not exceed the amount specified in s. 799.01 (1) (d) for damages resulting from any
19 one act of a juvenile in addition to taxable costs and disbursements and reasonable
20 attorney fees, as determined by the court. If 2 or more juveniles in the custody of the
21 same parent or parents commit the same act the total recovery under this section
22 may not exceed the amount specified in s. 799.01 (1) (d), in addition to taxable costs
23 and disbursements. The maximum recovery from any parent or parents for retail
24 theft by their minor child is established under s. 943.51.

1 **SECTION 3111t.** 895.035 (4a) of the statutes is created to read:

2 895.035 (4a) (a) The maximum recovery under this section by a school board
3 or a governing body of a private school from any parent or parents with custody of
4 a minor child may not exceed \$20,000 for damages resulting from any one act of the
5 minor child in addition to taxable costs and disbursements and reasonable attorney
6 fees, as determined by the court, for damages caused to the school board or the
7 governing body of a private school by any of the following actions of the minor child:

8 1. An act or threat that endangers the property, health or safety of persons at
9 the school or under the supervision of a school authority or that damages the
10 property of a school board or the governing body of a private school and that results
11 in a substantial disruption of a school day or a school activity.

12 2. An act resulting in a violation of s. 943.01, 943.02, 943.03, 943.05, 943.06 or
13 947.015.

14 (b) In addition to other recoverable damages, damages under par. (a) may
15 include the cost to the school board or the governing body of a private school in loss
16 of instructional time directly resulting from the action of the minor child under par.
17 (a).

18 (c) If 2 or more minor children in the custody of the same parent or parents are
19 involved in the same action under par. (a), the total recovery may not exceed \$20,000,
20 in addition to taxable costs, disbursements and reasonable attorney fees, as
21 determined by the court.

22 (d) If an insurance policy does not explicitly provide coverage for actions under
23 par. (a), the issuer of that policy is not liable for the damages resulting from those
24 actions.”

1 **8.** Page 1439, line 7: after that line insert:

2 “**SECTION 3193s.** 947.017 of the statutes is created to read:

3 **947.017 Threat to cause death, bodily harm or property damage. (1)**

4 In this section, “governmental unit” means the United States, this state or one of its
5 political subdivisions, an instrumentality or corporation of any of the foregoing or a
6 combination or subunit of any of the foregoing.

7 (2) A person is guilty of a Class E felony if the person threatens to use a
8 dangerous weapon or explosives to cause death, bodily harm or property damage in
9 or on the premises of a structure owned, occupied or controlled by a governmental
10 unit, a school, as defined in s. 948.50 (2) (a), or an institution of higher education, as
11 defined in s. 108.02 (18).”

12 **9.** Page 1570, line 16: after that line insert:

13 “(9h) **SCHOOL SAFETY FUNDING.** The department of justice and the department
14 of public instruction shall aggressively seek and apply for federal funds relating to
15 school safety and reducing violence and disruption in schools, including funds for
16 alternative schools or programs. Each department shall make a report by January
17 1, 2001, and January 1, 2003, of its progress in applying for and obtaining funds
18 under this section. The report shall be provided to the legislature in the manner
19 provided under section 13.172 (2) of the statutes, to the cochairpersons of the joint
20 committee on finance and to the governor.”

21 **10.** Page 1595, line 5: after that line insert:

22 “(4g) **SCHOOL PERFORMANCE REPORTS.** The renumbering and amendment of
23 section 115.38 (1) (b) of the statutes and the creation of section 115.38 (1) (b) 2. of the

1 statutes first apply to reports required, under section 115.38 (2) of the statutes, to be
2 distributed by January 1, 2002.”

3 **11.** Page 1613, line 6: after that line insert:

4 “(1g) SCHOOL SAFETY PLANS. The creation of section 120.12 (26) of the statutes
5 takes effect on the first day of the 6th month beginning after publication.”

6 (END)

→ ~~Van~~ # Page 1117, line 12: after that line insert:

11 Section ^{2108m} 119.04 (1) of the statutes is amended to read:

119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38 (2), 115.45, 118.001 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (25), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34) and (35) and 120.14 are applicable to a 1st class city school district and board. >>

NOTE: Sub. (1) is shown as affected by four acts of the 1997 legislature and as merged by the revisor under s. 13.93 (2) (c). Sub. (1) is amended eff. 9-1-99 by 1997 Wis. Act 77 to read:

~~(1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38 (2), 115.45, 118.001 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (25), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34) and (35) and 120.14 are applicable to a 1st class city school district and board.~~

~~History: 1971 c. 152 s. 38; 1971 c. 154 s. 80; 1973 c. 89 s. 20 (1); 1973 c. 90; 1973 c. 188 s. 6; 1973 c. 243, 254, 290, 307, 333; 1975 c. 39, 41, 95, 220, 379, 395, 422; 1977 c. 29; 1977 c. 203 s. 106; 1977 c. 206, 284, 447; 1979 c. 20; 1979 c. 34 s. 2102 (43) (a); 1979 c. 221, 298, 331; 1979 c. 346 s. 15; 1979 c. 355; 1981 c. 59; 1981 c. 241 s. 4; 1983 a. 193; 1983 a. 339 s. 10; 1983 a. 374 s. 12; 1983 a. 412, 489, 538; 1985 a. 29 s. 3202 (43); 1985 a. 56 s. 43; 1985 a. 214 s. 4; 1985 a. 225, 332; 1987 a. 27, 187, 285, 386, 403; 1989 a. 31, 120, 121, 122, 201, 209, 359; 1991 a. 39, 42, 189, 269; 1993 a. 16, 334, 377, 491; 1995 a. 27, 225; 1997 a. 27, 77, 113, 240, 252, 335; s. 13.93 (2) (c).~~

INS 3-21

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1104/2dn
ML/MD/JO/RN/GM:cmh&jlg:mrc

June 25, 1999

The Legislative Study Committee draft upon which this amendment is based did not require MPS to implement school safety plans. I have redrafted this amendment to include MPS. If this is not your intent, please let me know.

Madelon J. Lief
Legislative Attorney
Phone: (608) 267-7380



ARC:.....Dake - School discipline and safety

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

See pp 2, 9+10

TODAY

RM - run

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 1. Page 503, line 3: after that line insert:
- 3 "SECTION 887d. 36.11 (36m) of the statutes is created to read:
- 4 36.11 (36m) SCHOOL SAFETY RESEARCH. The board shall direct the schools of
- 5 education and other appropriate research-oriented departments within the system,
- 6 to work with the technical college system board under s. 38.04 (27), school districts,
- 7 private schools and the department of public instruction to present to school districts
- 8 and private schools the results of research on models for and approaches to
- 9 improving school safety and reducing discipline problems in schools and at school
- 10 activities."

1 **2.** Page 509, line 6: after that line insert:

2 **"SECTION 896m.** 38.04 (27) of the statutes is created to read:

3 **38.04 (27) SCHOOL SAFETY.** The board shall work with schools of education and
4 other departments of the University of Wisconsin System under s. 36.11 (36m),
5 school districts, private schools and the department of public instruction to present
6 to school districts and private schools the results of research on models for and
7 approaches to improving school safety and reducing discipline problems in schools
8 and at school activities."

9 **3.** Page 1096, line 8: after that line insert:

*Insert
2-9
(see
1st
pg)*

10 **"SECTION 2048m.** 115.38 (1) (b) of the statutes is renumbered 115.38 (1) (b) 1.
11 and amended to read:

12 115.38 (1) (b) 1. Other indicators of school and school district performance,
13 including dropout, attendance, retention in grade and graduation rates; ~~numbers of~~
14 ~~suspensions and expulsions~~; percentage of habitual truants, as defined in s. 118.16
15 (1) (a); percentage of pupils participating in extracurricular and community
16 activities and advanced placement courses; percentage of graduates enrolled in
17 postsecondary educational programs; and percentage of graduates entering the
18 workforce.

19 **SECTION 2048t.** 115.38 (1) (b) 2. of the statutes is created to read:

20 115.38 (1) (b) 2. The numbers of suspensions and expulsions; the reasons for
21 which pupils are suspended or expelled, reported according to categories specified by
22 the state superintendent; the length of time for which pupils are expelled, reported
23 according to categories specified by the state superintendent; whether pupils return
24 to school after their expulsion; the educational programs and services, if any,

1 provided to pupils during their expulsions, reported according to categories specified
2 by the state superintendent; the schools attended by pupils who are suspended or
3 expelled; and the grade, sex and ethnicity of pupils who are suspended or expelled
4 and whether the pupils are children with disabilities, as defined in s. 115.76 (5).”

5 **4.** Page 1103, line 16: after that line insert:

6 “SECTION 2068m. 118.16 (1m) of the statutes is created to read:

7 118.16 (1m) The period during which a pupil is absent from school due to a
8 suspension or expulsion under s. 120.13 or 119.25 is neither an absence without an
9 acceptable excuse for the purposes of sub. (1) (a) nor an absence without legal cause
10 for the purposes of sub. (1) (c).

11 SECTION 2068r. 118.175 of the statutes is created to read:

12 **118.175 Pupils without parents or guardians; report required.** (1) This
13 section does not apply to a pupil who has a legal custodian, as defined in s. 48.02 (11)
14 or 938.02 (11), or who is cared for by a kinship care relative, as defined in s. 48.57 (3m)
15 (a).

16 (2) If a pupil is a child who is without a parent or guardian, any school teacher,
17 school administrator, school counselor or school social worker who knows that the
18 child is without a parent or guardian shall report that fact as soon as possible to the
19 county department under s. 46.22 or 46.23 or, in a county having a population of
20 500,000 or more, to the department of health and family services.”

21 **5.** Page 1117, line 12: after that line insert:

22 “SECTION 2108m. 119.04 (1) of the statutes is amended to read:

23 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),
24 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38

1 (2), 115.45, 118.001 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14,
2 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19,
3 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.30 to 118.43,
4 118.51, 118.52, 118.55, 120.12 (5) and (15) to ~~(25)~~ (26), 120.125, 120.13 (1), (2) (b) to
5 (g), (3), (14), (17) to (19), (26), (34) and (35) and 120.14 are applicable to a 1st class
6 city school district and board.”

7 **6.** Page 1121, line 18: after that line insert:

8 “**SECTION 2124m.** 120.12 (26) of the statutes is created to read:

9 120.12 (26) SCHOOL SAFETY PLANS. Have in effect a school safety plan for each
10 school in the school district.

11 **SECTION 2124t.** 120.13 (1) (b) of the statutes is amended to read:

12 120.13 (1) (b) The school district administrator or any principal or teacher
13 designated by the school district administrator also may make rules, with the
14 consent of the school board, and may suspend a pupil for not more than 5 school days
15 or, if a notice of expulsion hearing has been sent under par. (c) 4 or (e) 4. or s. 119.25
16 (2) (c), for not more than a total of 15 consecutive school days for noncompliance with
17 such rules or school board rules, or for knowingly conveying any threat or false
18 information concerning an attempt or alleged attempt being made or to be made to
19 destroy any school property by means of explosives, for conduct by the pupil while
20 at school or while under the supervision of a school authority which endangers the
21 property, health or safety of others, or for conduct while not at school or while not
22 under the supervision of a school authority which endangers the property, health or
23 safety of others at school or under the supervision of a school authority or endangers
24 the property, health or safety of any employe or school board member of the school

1 district in which the pupil is enrolled. In this paragraph, conduct that endangers a
2 person or property includes making a threat to the health or safety of a person or
3 making a threat to damage property. Prior to any suspension, the pupil shall be
4 advised of the reason for the proposed suspension. The pupil may be suspended if
5 it is determined that the pupil is guilty of noncompliance with such rule, or of the
6 conduct charged, and that the pupil's suspension is reasonably justified. The parent
7 or guardian of a suspended minor pupil shall be given prompt notice of the
8 suspension and the reason for the suspension. The suspended pupil or the pupil's
9 parent or guardian may, within 5 school days following the commencement of the
10 suspension, have a conference with the school district administrator or his or her
11 designee who shall be someone other than a principal, administrator or teacher in
12 the suspended pupil's school. If the school district administrator or his or her
13 designee finds that the pupil was suspended unfairly or unjustly, or that the
14 suspension was inappropriate, given the nature of the alleged offense, or that the
15 pupil suffered undue consequences or penalties as a result of the suspension,
16 reference to the suspension on the pupil's school record shall be expunged. Such
17 finding shall be made within 15 days of the conference. A pupil suspended under this
18 paragraph shall not be denied the opportunity to take any quarterly, semester or
19 grading period examinations or to complete course work missed during the
20 suspension period, as provided in the attendance policy established under s. 118.16
21 (4) (a).

22 **SECTION 2124u.** 120.13 (1) (c) 1. of the statutes is amended to read:

23 120.13 (1) (c) 1. The school board may expel a pupil from school whenever it
24 finds the pupil guilty of repeated refusal or neglect to obey the rules, or finds that a
25 pupil knowingly conveyed or caused to be conveyed any threat or false information

1 concerning an attempt or alleged attempt being made or to be made to destroy any
2 school property by means of explosives, or finds that the pupil engaged in conduct
3 while at school or while under the supervision of a school authority which
4 endangered the property, health or safety of others, or finds that a pupil while not
5 at school or while not under the supervision of a school authority engaged in conduct
6 which endangered the property, health or safety of others at school or under the
7 supervision of a school authority or endangered the property, health or safety of any
8 employe or school board member of the school district in which the pupil is enrolled,
9 and is satisfied that the interest of the school demands the pupil's expulsion. In this
10 subdivision, conduct that endangers a person or property includes making a threat
11 to the health or safety of a person or making a threat to damage property."

12 7. Page 1174, line 2: after that line insert:

13 "SECTION 2287d. 165.72 (title) of the statutes is amended to read:

14 165.72 (title) **Controlled Dangerous weapons or criminal activity in**
15 **schools hotline: controlled substances hotline and rewards for controlled**
16 **substances tips.**

17 SECTION 2287e. 165.72 (1) (a) of the statutes is renumbered 165.72 (1) (aj).

18 SECTION 2287f. 165.72 (1) (ad) of the statutes is created to read:

19 165.72 (1) (ad) "Dangerous weapon" has the meaning given in s. 939.22 (10).

20 SECTION 2287g. 165.72 (2) (intro.) of the statutes is amended to read:

21 165.72 (2) HOTLINE. (intro.) The department of justice shall maintain a single
22 toll-free telephone number during normal retail business hours, as determined by
23 departmental rule, for ~~both~~ all of the following:

24 SECTION 2287h. 165.72 (2) (c) of the statutes is created to read:

1 165.72 (2) (c) For persons to provide information anonymously regarding
2 dangerous weapons or criminal activity in public or private schools.

3 **SECTION 2287i.** 165.72 (2g) of the statutes is created to read:

4 **165.72 (2g) AFTER-HOURS MESSAGE FOR CALLS CONCERNING DANGEROUS WEAPONS**
5 **IN SCHOOLS.** If a call is made outside of normal retail business hours to the telephone
6 number maintained under sub. (2), the department shall provide for the call to be
7 received by a telephone answering system or service. The telephone answering
8 system or service shall provide a recorded message that requests the person calling
9 to call the telephone number "911" or a local law enforcement agency if the person
10 is calling to provide information regarding dangerous weapons or criminal activity
11 in a school.

12 **SECTION 2287j.** 165.72 (2m) of the statutes is created to read:

13 **165.72 (2m) TRANSMISSION OF INFORMATION CONCERNING DANGEROUS WEAPONS IN**
14 **SCHOOLS.** Immediately upon receiving any information under sub. (2) (c) regarding
15 dangerous weapons or criminal activity in a school, or immediately at the beginning
16 of the next retail business day if the information is not received during normal retail
17 business hours, the department shall provide the information to all of the following:

18 (a) The administration of the school.

19 (b) The appropriate law enforcement agency for the municipality in which the
20 school is located.

21 **SECTION 2287k.** 165.72 (7) of the statutes is amended to read:

22 **165.72 (7) PUBLICITY.** The department shall cooperate with the department of
23 public instruction in publicizing, in public and private schools, the use of the toll-free
24 telephone number under sub. (2).".

Item # . Page 1094, line 22 : after that line insert;

1999 - 2000 Legislature

- 10 -

LRBb1104/2

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(C3)
SECTION
2042g;

OR; 115.28(43)

115.28(43)

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to be placed in statute with the department of

~~(4b) SCHOOL SAFETY FUNDING. The department of justice and the department of public instruction shall aggressively seek and apply for federal funds relating to school safety and reducing violence and disruption in schools, including funds for alternative schools or programs. Each department shall make a report by January 1, 2001, and January 1, 2003, of its progress in applying for and obtaining funds under this section. The report shall be provided to the legislature in the manner provided under ^{sub} section 13.172 (2) of the statutes to the cochairpersons of the joint committee on finance and to the governor."~~

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11. Page 1595, line 5: after that line insert:

"(4g) SCHOOL PERFORMANCE REPORTS. The renumbering and amendment of section 115.38 (1) (b) of the statutes and the creation of section 115.38 (1) (b) 2. of the statutes first apply to reports required, under section 115.38 (2) of the statutes, to be distributed by January 1, 2002."

12. Page 1613, line 6: after that line insert:

"(1g) SCHOOL SAFETY PLANS. The creation of section 120.12 (26) of the statutes takes effect on the first day of the 6th month beginning after publication."

(END)

Insert
2-9



ARC:.....Dake – School discipline and safety

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 503, line 3: after that line insert:

3 “SECTION 887d. 36.11 (36m) of the statutes is created to read:

4 **36.11 (36m) SCHOOL SAFETY RESEARCH.** The board shall direct the schools of
5 education and other appropriate research-oriented departments within the system,
6 to work with the technical college system board under s. 38.04 (27), school districts,
7 private schools and the department of public instruction to present to school districts
8 and private schools the results of research on models for and approaches to
9 improving school safety and reducing discipline problems in schools and at school
10 activities.”.

1 **2.** Page 509, line 6: after that line insert:

2 “**SECTION 896m.** 38.04 (27) of the statutes is created to read:

3 38.04 (27) SCHOOL SAFETY. The board shall work with schools of education and
4 other departments of the University of Wisconsin System under s. 36.11 (36m),
5 school districts, private schools and the department of public instruction to present
6 to school districts and private schools the results of research on models for and
7 approaches to improving school safety and reducing discipline problems in schools
8 and at school activities.”.

9 **3.** Page 1094, line 22: after that line insert:

10 “**SECTION 2042g.** 115.28 (43) of the statutes is created to read:

11 115.28 (43) SCHOOL SAFETY FUNDING. With the department of justice, seek and
12 apply for federal funds relating to school safety and reducing violence and disruption
13 in schools, including funds for alternative schools or programs. Each department
14 shall make a report by January 1, 2001, and January 1, 2003, of its progress in
15 applying for and obtaining funds under this subsection. The report shall be provided
16 to the legislature in the manner provided under s. 13.172 (2) to the cochairpersons
17 of the joint committee on finance and to the governor.”.

18 **4.** Page 1096, line 8: after that line insert:

19 “**SECTION 2048m.** 115.38 (1) (b) of the statutes is renumbered 115.38 (1) (b) 1.
20 and amended to read:

21 115.38 (1) (b) 1. Other indicators of school and school district performance,
22 including dropout, attendance, retention in grade and graduation rates; ~~numbers of~~
23 ~~suspensions and expulsions~~; percentage of habitual truants, as defined in s. 118.16
24 (1) (a); percentage of pupils participating in extracurricular and community

1 activities and advanced placement courses; percentage of graduates enrolled in
2 postsecondary educational programs; and percentage of graduates entering the
3 workforce.

4 **SECTION 2048t.** 115.38 (1) (b) 2. of the statutes is created to read:

5 115.38 (1) (b) 2. The numbers of suspensions and expulsions; the reasons for
6 which pupils are suspended or expelled, reported according to categories specified by
7 the state superintendent; the length of time for which pupils are expelled, reported
8 according to categories specified by the state superintendent; whether pupils return
9 to school after their expulsion; the educational programs and services, if any,
10 provided to pupils during their expulsions, reported according to categories specified
11 by the state superintendent; the schools attended by pupils who are suspended or
12 expelled; and the grade, sex and ethnicity of pupils who are suspended or expelled
13 and whether the pupils are children with disabilities, as defined in s. 115.76 (5).”.

14 **5.** Page 1103, line 16: after that line insert:

15 “**SECTION 2068m.** 118.16 (1m) of the statutes is created to read:

16 118.16 (1m) The period during which a pupil is absent from school due to a
17 suspension or expulsion under s. 120.13 or 119.25 is neither an absence without an
18 acceptable excuse for the purposes of sub. (1) (a) nor an absence without legal cause
19 for the purposes of sub. (1) (c).

20 **SECTION 2068r.** 118.175 of the statutes is created to read:

21 **118.175 Pupils without parents or guardians; report required.** (1) This
22 section does not apply to a pupil who has a legal custodian, as defined in s. 48.02 (11)
23 or 938.02 (11), or who is cared for by a kinship care relative, as defined in s. 48.57 (3m)
24 (a).

1 (2) If a pupil is a child who is without a parent or guardian, any school teacher,
2 school administrator, school counselor or school social worker who knows that the
3 child is without a parent or guardian shall report that fact as soon as possible to the
4 county department under s. 46.22 or 46.23 or, in a county having a population of
5 500,000 or more, to the department of health and family services.”.

6 **6.** Page 1117, line 12: after that line insert:

7 “**SECTION 2108m.** 119.04 (1) of the statutes is amended to read:

8 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),
9 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38
10 (2), 115.45, 118.001 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14,
11 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19,
12 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.30 to 118.43,
13 118.51, 118.52, 118.55, 120.12 (5) and (15) to ~~(25)~~ (26), 120.125, 120.13 (1), (2) (b) to
14 (g), (3), (14), (17) to (19), (26), (34) and (35) and 120.14 are applicable to a 1st class
15 city school district and board.”.

16 **7.** Page 1121, line 18: after that line insert:

17 “**SECTION 2124m.** 120.12 (26) of the statutes is created to read:

18 120.12 **(26)** SCHOOL SAFETY PLANS. Have in effect a school safety plan for each
19 school in the school district.

20 **SECTION 2124t.** 120.13 (1) (b) of the statutes is amended to read:

21 120.13 **(1)** (b) The school district administrator or any principal or teacher
22 designated by the school district administrator also may make rules, with the
23 consent of the school board, and may suspend a pupil for not more than 5 school days
24 or, if a notice of expulsion hearing has been sent under par. (c) 4 or (e) 4. or s. 119.25

1 (2) (c), for not more than a total of 15 consecutive school days for noncompliance with
2 such rules or school board rules, or for knowingly conveying any threat or false
3 information concerning an attempt or alleged attempt being made or to be made to
4 destroy any school property by means of explosives, for conduct by the pupil while
5 at school or while under the supervision of a school authority which endangers the
6 property, health or safety of others, or for conduct while not at school or while not
7 under the supervision of a school authority which endangers the property, health or
8 safety of others at school or under the supervision of a school authority or endangers
9 the property, health or safety of any employe or school board member of the school
10 district in which the pupil is enrolled. In this paragraph, conduct that endangers a
11 person or property includes making a threat to the health or safety of a person or
12 making a threat to damage property. Prior to any suspension, the pupil shall be
13 advised of the reason for the proposed suspension. The pupil may be suspended if
14 it is determined that the pupil is guilty of noncompliance with such rule, or of the
15 conduct charged, and that the pupil's suspension is reasonably justified. The parent
16 or guardian of a suspended minor pupil shall be given prompt notice of the
17 suspension and the reason for the suspension. The suspended pupil or the pupil's
18 parent or guardian may, within 5 school days following the commencement of the
19 suspension, have a conference with the school district administrator or his or her
20 designee who shall be someone other than a principal, administrator or teacher in
21 the suspended pupil's school. If the school district administrator or his or her
22 designee finds that the pupil was suspended unfairly or unjustly, or that the
23 suspension was inappropriate, given the nature of the alleged offense, or that the
24 pupil suffered undue consequences or penalties as a result of the suspension,
25 reference to the suspension on the pupil's school record shall be expunged. Such

1 finding shall be made within 15 days of the conference. A pupil suspended under this
2 paragraph shall not be denied the opportunity to take any quarterly, semester or
3 grading period examinations or to complete course work missed during the
4 suspension period, as provided in the attendance policy established under s. 118.16
5 (4) (a).

6 **SECTION 2124u.** 120.13 (1) (c) 1. of the statutes is amended to read:

7 120.13 (1) (c) 1. The school board may expel a pupil from school whenever it
8 finds the pupil guilty of repeated refusal or neglect to obey the rules, or finds that a
9 pupil knowingly conveyed or caused to be conveyed any threat or false information
10 concerning an attempt or alleged attempt being made or to be made to destroy any
11 school property by means of explosives, or finds that the pupil engaged in conduct
12 while at school or while under the supervision of a school authority which
13 endangered the property, health or safety of others, or finds that a pupil while not
14 at school or while not under the supervision of a school authority engaged in conduct
15 which endangered the property, health or safety of others at school or under the
16 supervision of a school authority or endangered the property, health or safety of any
17 employe or school board member of the school district in which the pupil is enrolled,
18 and is satisfied that the interest of the school demands the pupil's expulsion. In this
19 subdivision, conduct that endangers a person or property includes making a threat
20 to the health or safety of a person or making a threat to damage property."

21 **8.** Page 1174, line 2: after that line insert:

22 "SECTION 2287d. 165.72 (title) of the statutes is amended to read:

1 **165.72 (title) Controlled Dangerous weapons or criminal activity in**
2 **schools hotline; controlled substances hotline and rewards for controlled**
3 **substances tips.**

4 **SECTION 2287e.** 165.72 (1) (a) of the statutes is renumbered 165.72 (1) (aj).

5 **SECTION 2287f.** 165.72 (1) (ad) of the statutes is created to read:

6 165.72 (1) (ad) “Dangerous weapon” has the meaning given in s. 939.22 (10).

7 **SECTION 2287g.** 165.72 (2) (intro.) of the statutes is amended to read:

8 165.72 (2) **HOTLINE.** (intro.) The department of justice shall maintain a single
9 toll-free telephone number during normal retail business hours, as determined by
10 departmental rule, for ~~both~~ all of the following:

11 **SECTION 2287h.** 165.72 (2) (c) of the statutes is created to read:

12 165.72 (2) (c) For persons to provide information anonymously regarding
13 dangerous weapons or criminal activity in public or private schools.

14 **SECTION 2287i.** 165.72 (2g) of the statutes is created to read:

15 165.72 (2g) **AFTER-HOURS MESSAGE FOR CALLS CONCERNING DANGEROUS WEAPONS**
16 **IN SCHOOLS.** If a call is made outside of normal retail business hours to the telephone
17 number maintained under sub. (2), the department shall provide for the call to be
18 received by a telephone answering system or service. The telephone answering
19 system or service shall provide a recorded message that requests the person calling
20 to call the telephone number “911” or a local law enforcement agency if the person
21 is calling to provide information regarding dangerous weapons or criminal activity
22 in a school.

23 **SECTION 2287j.** 165.72 (2m) of the statutes is created to read:

24 165.72 (2m) **TRANSMISSION OF INFORMATION CONCERNING DANGEROUS WEAPONS IN**
25 **SCHOOLS.** Immediately upon receiving any information under sub. (2) (c) regarding

1 dangerous weapons or criminal activity in a school, or immediately at the beginning
2 of the next retail business day if the information is not received during normal retail
3 business hours, the department shall provide the information to all of the following:

4 (a) The administration of the school.

5 (b) The appropriate law enforcement agency for the municipality in which the
6 school is located.

7 **SECTION 2287k.** 165.72 (7) of the statutes is amended to read:

8 165.72 (7) PUBLICITY. The department shall cooperate with the department of
9 public instruction in publicizing, in public and private schools, the use of the toll-free
10 telephone number under sub. (2).”.

11 **9.** Page 1431, line 11: after that line insert:

12 **“SECTION 3111m.** 895.035 (4) of the statutes is amended to read:

13 895.035 (4) Except for recovery under sub. (4a) or for retail theft under s.
14 943.51, the maximum recovery under this section from any parent or parents may
15 not exceed the amount specified in s. 799.01 (1) (d) for damages resulting from any
16 one act of a juvenile in addition to taxable costs and disbursements and reasonable
17 attorney fees, as determined by the court. If 2 or more juveniles in the custody of the
18 same parent or parents commit the same act the total recovery under this section
19 may not exceed the amount specified in s. 799.01 (1) (d), in addition to taxable costs
20 and disbursements. The maximum recovery from any parent or parents for retail
21 theft by their minor child is established under s. 943.51.

22 **SECTION 3111t.** 895.035 (4a) of the statutes is created to read:

23 895.035 (4a) (a) The maximum recovery under this section by a school board
24 or a governing body of a private school from any parent or parents with custody of

1 a minor child may not exceed \$20,000 for damages resulting from any one act of the
2 minor child in addition to taxable costs and disbursements and reasonable attorney
3 fees, as determined by the court, for damages caused to the school board or the
4 governing body of a private school by any of the following actions of the minor child:

5 1. An act or threat that endangers the property, health or safety of persons at
6 the school or under the supervision of a school authority or that damages the
7 property of a school board or the governing body of a private school and that results
8 in a substantial disruption of a school day or a school activity.

9 2. An act resulting in a violation of s. 943.01, 943.02, 943.03, 943.05, 943.06 or
10 947.015.

11 (b) In addition to other recoverable damages, damages under par. (a) may
12 include the cost to the school board or the governing body of a private school in loss
13 of instructional time directly resulting from the action of the minor child under par.

14 (a).

15 (c) If 2 or more minor children in the custody of the same parent or parents are
16 involved in the same action under par. (a), the total recovery may not exceed \$20,000,
17 in addition to taxable costs, disbursements and reasonable attorney fees, as
18 determined by the court.

19 (d) If an insurance policy does not explicitly provide coverage for actions under
20 par. (a), the issuer of that policy is not liable for the damages resulting from those
21 actions.”.

22 **10.** Page 1439, line 7: after that line insert:

23 “SECTION 3193s. 947.017 of the statutes is created to read:

